



*City of Taunton  
Municipal Council Meeting Minutes*

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*Temporary City Hall, 141 Oak Street, Taunton, MA  
Minutes, March 10, 2015 at 7:50 O'clock P.M.*

*Regular Meeting*

*Mayor Thomas C. Hoye, Jr. presiding*

*A moment of silence was held for Megan Nowell, who tragically lost her life in an auto accident yesterday. A moment of silence was also held for Gertrude Cornaglia, a former member of the Board of Health, long time City employee and mother to Fred Cornaglia.*

*Prayer was offered by the Mayor*

*Present at roll call were: Councilors Cleary, Marshall, Costa-Hanson, Croteau, Pottier, McCaul, Quinn, Carr, and Borges*

Record of preceding meeting was read by Title and Approved. So Voted.

**Appointments:**

Appointment of Michael daSilva, 90 Kingman Street, East Taunton to the Taunton Cultural Council for a term of three (3) years expiring the last day of March 2018. **Motion was made to move approval. So Voted.**

**Communications from City Officers:**

Com. from Gil Enos, Budget Director requesting adoption of Section 260 of the FY15 State Budget which allows local governing bodies by majority vote to begin a four-year phase-in toward health insurance costs for retired teacher employees when actual net school spending is calculated. Councilor Marshall asked if this has been discussed with the Superintendent. Mayor Hoye stated that the districts that do not count it don't want to see it counted. He stated that the City pays for it and doesn't get credit for it when other districts do and that it will not take any money from the school district. Councilor Cleary stated that it is frustrating to hear that the funding is at 94%, 95.1%, and 96% and if the pension money is counted, it would be over 100%. He questioned how much money is being talked about. Mayor Hoye stated that last year it was about \$4.8M. Councilor Croteau stated that if net school spending is \$100M and if this was in effect, it would be \$104.8M. He stated that the state will take the amount of medical insurance and add it to the net school spending that is assigned to this community on an annual basis. If we are at 96% of net school spending, the school department would technically lose 4% of \$4.8M because the \$4.8M will be added to what would have been net school spending if this does not pass. Mayor Hoye stated that the intention is to be at 100% and it would be a four year phase in period. Councilor Quinn stated that the support for public education is there and this won't change it, it will avoid penalties from the state. She doesn't think that by approving this will in anyway take funding away from the School Department.

Mayor Hoye discussed the how the commitment of the City of Taunton's education is there and will remain there. **Councilor Croteau motioned to refer to the Committee on the Council as a Whole to meet with the Superintendent, School Committee and Budget Director. Councilor Costa-Hanlon motioned to refer to Orders. So Voted.**

Com. from Commissioner, Parks, Cemeteries, & Public Grounds requesting a transfer of funds to replace a fifteen year old zero turn mower that is used specifically for downtown (Taunton Green, Church Green, Calvey Memorial). The approximate cost of this mower is approximately \$10,000.00 and will require a transfer of \$7,500.00 from Other Expense to Capital Outlay. **Motion was made to refer to the Committee on Finance and Salaries and the Mayor's Office. So Voted.**

Com. from City Engineer stating that the Earth Removal Board received an application for an extension of the current earth removal permit. The purpose for extension is to complete the construction of cranberry bogs on the parcel of land off Caswell Street, shown on the Assessors Map 121, Lot 2 and Map 120, Lot 167. Council President Borges stated that in her opinion, it is a minor modification because the application looks very similar to the first one and does not require a public hearing. **She motioned that with a positive recommendation from the City Engineer to go before the Earth Removal Board to approve and a condition that the he notifies the Earth Removal Board 24 hours in advance. So Voted.** Councilor Costa-Hanlon stated that she would support the motion as long as it is not a blanket motion that all renewals are minor.

Com. from Director, Office of Economic and Community Development requesting in collaboration with the Board of Health permission to enter into a seventh loan commitment of \$250,000 with the Massachusetts Waste Water Pollution Abatement Trust. These funds will be used to re-capitalize the City of Taunton's Septic Betterment Program. **Councilor Costa-Hanlon motioned to refer to the City Treasurer. Councilor Pottier motioned that Mr. Shea come before the Council to answer questions and offer information on the program. So Voted.**

Com. from Superintendent of Buildings responding on the environmental issue with the Central Fire Station. He stated that the soil excavation in the basement was completed in the late fall of 2014. The BETA Group has conducted two rounds of groundwater sampling and as of now, the laboratory data for the soil and groundwater will support a permanent solution. MassDEP will be issuing an Administrative Consent Order which will include deadlines for a Phase II Comprehensive Site Assessment. Since the field work and soil excavation has been completed, the MassDEP has advised that the City can go ahead and file a combined Permanent Solution/Release Abatement Measure Completion/Phase II Comprehensive Site Assessment report at any time prior to that deadline. The Phase II report must be filed to close out the non-compliance issue. Councilor Cleary stated that he believes that the \$2500.00 fine that we were getting has been covered and that he assumes that it means there will not be a fine this year. Mayor Hoye stated that he believes that we are in compliance but Mr. Walkden would be the one to ask. **Motion was made to receive and place on file. So Voted.**

**Communications from Citizens:**

Com. from Senator Marc R. Pacheco that discussed how the Massachusetts State Senate will be hosting a series of events throughout the state known as “Commonwealth Conversations”. This series of events is part of an effort to make your government even more accessible and responsive to citizens. On Wednesday, March 11, 2015, a meeting will be held at the Bristol Community College facility in Taunton at 61 Summer Street from 4:00PM to 4:45PM, and the town hall forum portion will be held in the Rondileau Campus Center Ballroom at Bridgewater State University at 19 Park Avenue, Bridgewater from 6:30PM to 8:30PM. Further information may be found at this website: <https://malegislature.gov/CC/>. **Motion was made to receive and place on file. So Voted.**

Com. from City Auditor informing the Council that both her and her assistant, Christina Boyan will be attending the Massachusetts Municipal Accountant and Auditor Association’s Annual School being held March 15-18, 2015 at UMASS Amherst. She is requesting that in order that the bill and payroll warrants presented to the Committee on Finance and Salaries at the March 17<sup>th</sup> Municipal Council meeting can be approved that Sandra Kingsbury, Head Administration Clerk in her office, be appointed Interim City Auditor in order to be able to sign the warrants. **Motion was made to approve. So Moved.**

Special Permit submitted by Jay Dorsey, President, Downtown Taunton Business Improvement District, 8 Trescott St., Suite 1, Taunton to allow four (4) units on one lot and to allow residential handicapped accessible unit on the ground floor in a commercial district located at 15 School Street, Taunton and requesting a waiver of the \$450.00 fee. **Councilor Costa-Hanlon motioned to approve the waiver. So Voted.**

**Petitions:**

Claim submitted by Joseph Monsini, 41 Lillian Terrace, Taunton seeking reimbursement for damages to his automobile from hitting a pothole on Crane Avenue near Flintlock Road. **Motion was made to refer to the Law Department and the DPW. So Voted.**

Mayor Hoyer stated that the City is out there working on the potholes the best we can and will probably go out every Saturday as long as the budget allows. He asks residents to drive cautiously because there are potholes and frost heaves. There are signs on some streets warning drivers of these issues. Councilor Cleary stated that on Hopewell Street, near the school, there is a large frost heave that should be put on the list. Mayor Hoyer stated that as soon as the weather permits, Plain Street will be milled and redone due to the large amount of potholes. Councilor Pottier stated that on the City’s website there is a page dedicated to giving people information regarding potholes and who to notify about them.

**Committee Reports:**

Motion was made for Committee reports to be read by Title and Approved. So Voted. Recommendations adopted to reflect the votes as recorded in Committee Reports. So Voted.

**Unfinished Business:**

Councilor Pottier stated that the subject of the Fire hires came up last week and would like the Mayor to give the administration's view as to how many should be hired, what is the deal with the SAFER Grant and what position we are in. Mayor Hoye stated that when we are under the SAFER Grant, which we are right now, we are responsible to maintain 120 positions. If two are hired right now, we would be at 120 but there is another retirement coming in on the 15<sup>th</sup>. Funding for this SAFER Grant will expire April 30<sup>th</sup> so until that point we are responsible for 120. If not, the City runs the risk of having some of the funding withdrawn with the provisions. Councilor Pottier asked if the Mayor was intending to finance that in the budget. Mayor Hoye stated that as of now, that is the intention. He discussed how Chief Bradshaw is applying for a new SAFER Grant. Councilor Croteau stated that the Committee on Fires and Wires met and interviewed several people for the two positions that were open but now there are three. He has a copy of a letter from the retirement board that was issued back in November. He stated that his understanding is that once the letter is issued, the retirement is accepted. Councilor Croteau read the letter dated November 18, 2014 from Paul Slivinski advising the Mayor and Council that George Kelly will be retiring as of March 13<sup>th</sup>. He stated that this means that three names can be brought to the Council next week in order to maintain 120. Councilor Pottier asked why the letter dated in November is just coming before the Council now. The City Clerk stated that her office never received it and she called the Retirement Board to receive a copy to be brought up this evening. Councilor Carr stated that per the agreement at the Committee on Fires and Wires meeting, the appointments will not happen for two weeks. She motioned that the letter be put in the packet for next week. Councilor Cleary discussed the SAFER Grant and the extension. He stated that if three new firefighters are appointed on the 17<sup>th</sup> or the 24<sup>th</sup>, the SAFER grant will pay for their salaries for up to 4 weeks depending on their situation. He stated that as of May 1, 2015, the City's budget will pick up the entire salaries of the eight (8) firefighters that were hired and the three (3) additional ones. He discussed his concerns of the City's fiscal responsibility and the hiring of people who are coming from layoffs in other communities and their seniority. He doesn't see the need to rush into hiring to fill the three vacancies. Councilor Croteau stated that we are talking about public safety. He discussed the size of the department compared to the size of the population in the past and present. Councilor Carr stated that the Chair of the Committee meant two Tuesdays and not two weeks and were hoping to vote on it next Tuesday, so she would support the approval of the letter tonight. Councilor Cleary stated that he believes that everyone on the council is concerned about public safety. **Motion was made to move approval of the letter and receive and place on file. So Voted.**

Councilor Costa-Hanlon stated that she had made a motion two weeks ago to refer to the HR and Law Departments to notify the Council of the process for those department heads that are not part of COTMA in two weeks. She stated that she has spoken to the City Solicitor and he was not able to get it to the Council this week so she asked if he thought a couple more weeks would be enough time. The City Solicitor stated that it would be as long as she further defines exactly what it is that she is looking for. **Motion was made to continue for two weeks. So Voted.**

Orders, Ordinances, and Resolutions**ORDERS, ORDINANCES AND RESOLUTIONS**

Ordered That,

The City of Taunton accepts the four-year phase-in toward inclusion of retired teacher health insurance costs in determining net school spending compliance commencing in fiscal year 2016, as specified in Section 260 of Chapter 165 of the Acts of 2014, for the Taunton school district. Councilor Croteau stated that there should be a face to face discussion over this issue, because this will not make a major financial impact either way. The money is allowed to be counted but the net school spending is increased by the same amount. **Motion was made to continue for two (2) weeks and ask the Superintendent, City Solicitor and the Budget Director to come back on the night that the Committee on the Council as a Whole will be discussing this. So Voted.** Councilor Carr discussed her interpretation of the effect of the health insurance on the net school spending. Councilor Croteau stated that the reason that he would like to have the meeting is so there is no confusion on this matter.

New Business:

Councilor Pottier stated that Mass Medicum Inc., who he believes was awarded a license for a medical marijuana dispensary in town, is having a DARB meeting in March. He questioned what their schedule is for their opening. Mayor Hoye stated that he has not spoken with them in several months and does not have a timeline. Councilor Pottier stated that the Green brothers were going to have a grow facility at the Mozzone Building, which is the one who just had the roof collapse. He questioned the Mayor on what the plan will be for their half of the building and whether or not it is back in operation. Mayor Hoye stated that part of it was supposed to go back into operation fairly quickly but with all of the snow, most of the recycling is going to Brockton right now.

Councilor Costa-Hanlon stated that when she, Council President Borges, and Mayor Hoye met with the Attorney General and were talking about the opiate issues, an issue was brought up about the struggle for families when someone stops using and is looking for recovery and cannot find a bed. Councilor Costa-Hanlon discussed sending a letter to the Department of Human Services to utilize Taunton State Hospital, look into expanding the 45 beds that they already have and to look into a Pilot Program where public beds could be used for that specific use. She mentioned that Reed & Barton, who has filed bankruptcy, doesn't appear to be looking to retain the property after the Chapter 11. She stated that those are two big properties in the Whittenton area that the Council may want to have further discussion about. At this time not much can be done with Reed & Barton because it is still in the Chapter 11. She said that perhaps another discussion about Taunton State Hospital can be had. Council President Borges stated that she had a meeting with Congressman Kennedy and that the state is actively working on this. Councilor Carr stated that she received a phone call from a constituent who was inquiring about beds being available at Taunton State Hospital and had heard it was only for females. She suggested getting any information on whether beds were going to be made available for both males and females. Councilor McCaul stated that there is a homeless issue in the City and the Council should be looking for beds for the homeless at the same

time. Councilor Costa-Hanlon stated that the letter should ask what the active plans are for Taunton State Hospital. **Councilor Costa-Hanlon motioned that she will send a letter to State Representative Patricia Haddad and Senator Marc Pacheco asking them to give the Council an update as to what is going on with the plans for Taunton State Hospital. So Voted.**

**Councilor Marshall motioned to get an accounting next week from the Budget Director, the Auditor/Treasurer or the DPW as to the amount of money that has been spent on snow and ice this year. Also, the amount that the City has determined, if we do get federal reimbursement, to be submitted under the MEMA request for the four snow events and if there are any other provisions that can be provided to MEMA to be reimbursed for other than salt, snow contractors and overtime. So Voted.** Mayor Hoye stated that everything is being looked at and he believes that the City is looking for \$1.9M in reimbursements as of right now. Councilor Marshall would like to see the number and then go from there if we need to contact our Federal delegation to try to help the City with having FEMA declare this a natural disaster if we can't get the reimbursement from MEMA.

Meeting adjourned at 8:45 P.M.

A true copy:

Attest:



City Clerk

RMB/SJS

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 9, 2015

**THE COMMITTEE ON FIRES AND WIRES**

PRESENT WERE: COUNCILOR JOHN MCCAUL, CHAIRMAN AND COUNCILORS CARR AND CROTEAU. ALSO PRESENT WAS FIRE CHIEF TIMOTHY BRADSHAW, CAPTAIN DAVID SANTOS, COUNCILORS QUINN, POTTIER AND COSTA-HANLON AND FIREFIGHTER CANDIDATES KEITH CASHMAN, THEODORE LIMA, NUNO MEDEIROS, PAUL MEDEIROS, CORY PEREIRA AND JOHN PIMENTEL

**MEETING CALLED TO ORDER AT 4:45 P.M.**

**1. MEET TO INTERVIEW FIREFIGHTER CANDIDATES**

THE CHIEF PROVIDED A LETTER DATED 11/18/2015 FROM PAUL SLIVINSKI, EXECUTIVE DIRECTOR OF THE RETIREMENT BOARD NOTIFYING THE MAYOR AND COUNCIL OF THE RETIREMENT OF GEORGE P. KELLY ON MARCH 13, 2015. HE ALSO PROVIDED A LETTER FROM GEORGE P. KELLEY WHICH STATED THAT AFTER 28 YEARS OF SERVICE AT THE TAUNTON FIRE DEPARTMENT AND 4 YEARS OF MILITARY DUTY, HE WILL BE RTIRING ON MARCH 13, 2015. HIS LAST SCHEDULED WORKING DATE WAS SUNDAY, MARCH 8, 2015.

**MOTION: LETTERS TO BE PART OF THE RECORD. SO VOTED.**

THE CHIEF ALSO PROVIDED A LETTER FROM DAVID PARR, REGIONAL FIRE PROGRAM SPECIALIST, ASSISTANCE TO FIREFIGHERS GRANT PROGRAM WHICH STATED THAT HE IS WRITING TO AFFIRM THAT THE CITY OF TAUNTON WAS AWARDED A 2011 STAFFING FOR ADEQUATE FIRE & EMERGENCY RESPONSE (SAFER) GRANT IN THE AMOUNT OF \$1,345,784.00. THIS GRANT IS FUNDING THE SALARIES AND BENEFITS FOR 8 FIREFIGHTER POSITIONS IN THE TAUNTON FIRE DEPARTMENT. THERE IS NO LOCAL MATCH OR LOCAL SHARE REQUIRED FROM TAUNTON FOR THIS GRANT.

THE LETTER FURTHER STATED THAT THE GRANT AWARD STIPULATES THAT THE CITY MUST MAINTAIN 120 FIRE SUPPRESSION POSITIONS FOR THE FULL PERIOD OF PERFORMANCE OF THE GRANT. IF VACANCIES OCCUR DURING THE GRANT PERIOD OF PERFORMANCE THEY MUST BE FILLED ASAP IN ORDER TO MAINTAIN 120 POSITIONS, PLEASE TAKE NOTE OF THE FOLLOWING FROM THE SAFER PROGRAM GUIDANCE/FUNDING OPPORTUNITY ANNOUNCEMENT DOCUMENT:

*GRANTEES UNDER THE HIRING OF FIREFIGHTERS CATEGORY MUST AGREE TO MAINTAIN OPERATIONAL STAFFING AT THE LEVEL THAT EXISTED AT THE TIME OF AWARD AND MUST ALSO RETAIN ALL SAFER FUNDED POSITIONS THROUGHOUT THE GRANT'S FULL TWO YEAR PERIOD OF PERFORMANCE. GRANTEES MUST AGREE TO MAINTAIN THIS NUMBER THROUGHOUT THE TWO YEAR PERIOD OF PERFORMANCE BY TAKING ACTIVE AND TIMELY STEPS TO FILL ANY VACANCIES.*

*GRANTEES THAT DO NOT FULFILL THEIR OBLIGATIONS UNDER THEIR SAFER GRANT WILL BE CONSIDERED IN DEFAULT AND MAY BE REQUIRED TO RETURN THE FEDERAL FUNDS DISBURSED UNDER THE GRANT AWARD.*

**MOTION: LETTER TO BE PART OF THE RECORD. SO VOTED.**

THE CHAIRMAN NOTED THAT TONIGHT THE COMMITTEE WILL BE INTERVIEWING 6 CANDIDATES AND HE WILL ALLOW 30 MINUTES FOR EACH INTERVIEW.

THE FIRST CANDIDATE WAS **KEITH CASHMAN**. HE WORKED FOR THE FALL RIVER FIRE DEPARTMENT FOR 3 ½ YEARS. HE DOES NOT FEEL THAT HE WOULD GO BACK TO FALL RIVER IF HE WERE TO BE OFFERED A POSIITON BACK THERE. HE IS A THIRD GENERATION FIREFIGHTER, HAS NEVER BEEN ARRESTED, IS A NON SMOKER, DOES NOT USE DRUGS AND HAS HAD NO ON DUTY INJURY. PRIOR TO BEING A FIREFIGHTER HE WAS A GENERAL MANAGER FOR A TRUCKING COMPANY FOR 20 YEARS. HE IS AN E.M.T. HE IS MARRIED WITH 3 CHILDREN.

**THEODORE LIMA** WAS INTERVIEWED NEXT. HE WORKED FOR THE FALL RIVER FIRE DEPARTMENT FOR 4 YEARS. HE STATED THAT HE WOULD GO BACK TO THAT DEPARTMENT IF HE WAS STILL UNEMPLOYED

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**THE COMMITTEE ON FIRES AND WIRES - CONTINUED**

WHEN THEY RE-CALLED HIM, BUT IF HE HAD A JOB HE WOULD NOT GO BACK TO FALL RIVER. HE DOES NOT ABUSE SICK TIME AND WAS OUT 1 DAY IN THE 4 YEARS HE WORKED IN FALL RIVER. HE IS A NON SMOKER, DOES NOT DO DRUGS AND HAS SUFFERED NO INJURY WHILE ON DUTY. PRIOR TO BEING A FIREFIGHTER HE WAS AN IRRIGATION TECHNICIAN. HE ALSO DOES SMALL ENGINEER REPAIR ON THE SIDE. HE IS MARRIED AND BOUGHT A HOUSE IN JULY IN SEEKONK. HE STARTED THE E.M.T. CLASS OFFERED IN FALL RIVER BUT DROPPED OUT. IT WAS TOO CONDENSED, TOO FAST FOR HIM. HE WOULD LIKE TO PURSUE THIS HOWEVER. HE DID ALSO SIGN TO BE HIRED IN FRAMINGHAM. WHEN HE WAS IN FALL RIVER HE BID TO A BUSIER STATION. HE ALSO HAS SOME ENGINE DRIVING HISTORY. THE NEXT INTERVIEW WAS WITH **NUNO MEDEIROS**. HE WORKED FOR THE FALL RIVER FIRE DEPARTMENT FOR 3 YEARS 9 MONTHS. HE DOES NOT THINK THAT HE WOULD GO BACK THERE IF EMPLOYMENT WAS OFFERED. HE USED NO SICK DAYS DURING HIS TIME THERE, HE HAS NEVER BEEN ARRESTED, HE IS A NON SMOKER AND DOES NOT DO ANY DRUGS. HE HAS NO ON DUTY INJURIES. HE WORKED AT ONE OF THE BUSIER STATIONS IN FALL RIVER. HE IS MARRIED WITH 2 KIDS AND IS PRESENTLY ATTENDING BRISTOL COMMUNITY COLLEGE TAKING FIRE SCIENCE COURSES. HE DID GROW UP IN FALL RIVER; HE IS AN E.M.T. AND IS BILINGUAL. HE IS ALSO QUALIFIED ON SOME ENGINES AND LADDERS. NEXT INTERVIEWED WAS **PAUL MEDEIROS**. HE WAS WITH THE FALL RIVER DEPARTMENT FOR 4 ½ YEARS. HE STATED WHEN ASKED IF HE WOULD GO BACK TO FALL RIVER IF THEY WERE TO OFFER RE-EMPLOYMENT TO THE FIRE DEPARTMENT THERE, HE SAID THAT HE WOULD NEVER GO BACK. HE USED 1 SICK DAY DURING HIS TIME WITH THE FALL RIVER DEPARTMENT. HE HAS NEVER BEEN ARRESTED, IS A NON-SMOKER DOES NOT USE DRUGS AND HAS NOT HAD AN INJURY ON DUTY. BEFORE HE WORKED AS A FIREFIGHTER IN FALL RIVER, HE WORKED AT THE ST. VINCENTS HOME FOR 16 YEARS. HE WOULD CONTINUE TO WORK PART TIME AT ST. VINCENTS IF HE WERE TO BE HIRED IN TAUNTON. HE WOULD LIKE TO MOVE UP IN THE DEPARTMENT. HE GETS ALONG WITH PEOPLE, IS A HARDWORKER, AND HAS NO PROBLEM ACCEPTING AND OBEYING ORDERS. HE HAS ALSO APPLIED TO FRAMINGHAM. HE IS TRAINED FOR NARCAN. HE PLANS ON CONTINUING HIS EDUCATION. HE WENT TO STAT TRAINING IN DARTMOUTH BUT HE HAS TO TAKE THE STATE TEST. HE WOULD LIKE TO GET HIS FIRE SCIENCE DEGREE. HE IS BILINGUAL. IT WAS NOTED IN HIS PAPERWORK THAT HE WAS OUT DUE TO A BROKEN HAND. HE STATED THAT HE FELL OFF A LADDER AT HIS HOUSE IN 2013; IT DID NOT HAPPEN AT WORK. HE IS MARRIED WITH ONE SON. HE HAS EXTENSIVE EXPERIENCE DRIVING THE TRUCKS. THE NEXT INTERVIEW WAS WITH **CORY PERIERA**. HE WORKED IN THE FALL RIVER DEPARTMENT FOR JUST UNDER 4 YEARS. WHEN ASKED IF HE WOULD GO BACK TO THE FALL RIVER DEPARTMENT IF GIVEN THE OPPORTUNITY HE SAID NO. IN THE LAST YEAR HE USED NO SICK DAYS. HE WAS ARRESTED WHILE IN COLLEGE FOR O.U.I. AND LOST HIS LICENSE FOR 1 YEAR. HE IS A NON-SMOKER, DOES NOT DO DRUGS AND HAS HAD NO INJURY ON DUTY. HE GRADUATED FROM DURFEE HIGH AND TOOK THE NEXT YEAR OFF. HE WENT TO ST. ANSLON COLLEGE IN NEW HAMPSHIRE FOR 3 ½ YEARS BUT LEFT WITHOUT A DEGREE. AFTER THAT HE WORKED AT BROWN FOR 1 YEAR IN THE ATHLETIC DEPARTMENT. HE THEN WENT TO WORK FOR SCHWANS THEN TO TRAVELERS INSURANCE FOR 1 ½ YEARS. HE THEN WAS A SALES REP FOR 2 ½ YEARS BEFORE JOINING THE FIRE DEPARTMENT. HE STATED THAT HE HAS APPLIED IN NEWTON AND FRAMINGHAM. HE IS CURRENTLY ENROLLED IN THE BACHELORS PROGRAM FOR FIRE SCIENCE IN COLUMBIA SOUTHERN. HE SAID THAT HE WOULD MOVE TO WHEREVER HE GAINS EMPLOYMENT.

**MOTION:** FOR A 5 MINUTE RECESS (6:49 P.M.)

**MOTION:** TO CALL THE MEETING BACK TO ORDER (6:52 P.M.)

THE LAST INTERVIEW WAS WITH **JOHN PIMENTEL**. HE WAS ON THE FALL RIVER FIRE DEPARTMENT FOR ALMOST 5 YEARS. WHEN ASKED IF HE WOULD GO BACK IF GIVEN THE OPPORTUNITY, HE SAID NO. HE USED 1 SICK DAY IN THE LAST YEAR. HE HAS NEVER BEEN ARRESTED, IS A NON SMOKER, DOES NOT DO

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MARCH 9, 2015

THE COMMITTEE ON FIRES AND WIRES - CONTINUED

DRUGS AND HAS NOT HAD AN ON DUTY INJURY. BEFORE BEING EMPLOYED BY THE FIRE DEPARTMENT HE WORKED CONSTRUCTION FOR 13 YEARS. PRIOR TO THAT HE WORKED AT PEPSI HERE IN TAUNTON AND BEFORE THAT AT QUAKER FABRIC IN FALL RIVER. HE HAS A BROTHER IN LAW ON THE FALL RIVER FIRE DEPARTMENT. HE DOES WANT TO GET HIS E.M.T. CERTIFICATION AND WOULD LIKE TO FURTHER HIS EDUCATION ALSO. HE HAS 2 KIDS, ONE IN COLLEGE AND ONE IN HIGH SCHOOL. HE HAS WORKED ON A PUMP TRUCK AND HAS DRIVEN A LADDER TRUCK IN FALL RIVER. HE HAS NOT TAKEN THE E.M.T. COURSE THAT WAS OFFERED WHEN HE WAS LAYED OFF DUE TO WORKING. HE DOES HOWEVER PLAN ON TAKING THE E.M.T. COURSE.

MENTIONED WAS AN INCIDENT THAT OCCURRED ON JULY 4, 2012 INVOLVING A POLICE MATTER. HIS STATEMENT OF THE MATTER WAS VERY DIFFERENT FROM THE REPORT THE CHIEF HAD PROVIDED TO THE COMMITTEE. HE SAID HE DID NOT BELIEVE IT WAS A BIG DEAL AND HIS CHIEF IN FALL RIVER DID NOT TAKE ANY ACTION REGARDING THIS MATTER.

AFTER THE INTERVIEWS WERE COMPLETED THE CHAIRMAN STATED THAT HE WOULD LIKE TO MEET AGAIN ON MARCH 17 IN ORDER TO HAVE THE COMMITTEE MAKE THEIR RECOMMENDATIONS TO THE FULL COUNCIL.

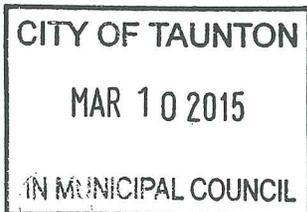
COUNCILOR CARR ALSO WANTED CLARIFICATION AS TO WHETHER THEY WERE HIRING 2 OR 3. COUNCILOR CROTEAU STATED THAT OBVIOUSLY A PERSON IS RETIRING ON MARCH 13, 2015 TO HE IS PREPARED TO HIRE A THIRD PERSON. HE ALSO NOTED THAT HE WOULD LIKE THE DECISION MADE ON RECOMMENDATIONS NEXT WEEK.

COUNCILOR CARR AGAIN NOTED THAT HER ONLY OBJECTION IS THE 3<sup>RD</sup> HIRE. THE COUNCIL MUST ACCEPT THE RESIGNATION OF THE PERSON RETIRING BEFORE HIRING ANYONE ELSE.

COUNCILOR CROTEAU SAID HE WOULD LIKE TO TAKE ACTION ON THE RESIGNATION TOMORROW. HE IS PREPARED TO MOVE TO ACCEPT THE RESIGNATION.

THE CHAIRMAN AGAIN NOTED THAT THIS COMMITTEE WILL MEET ON TUESDAY, MARCH 17, 2015 TO MAKE THEIR RECOMMENDATION FOR THE 3 HIRES AND THE CHIEF WAS ASKED TO BE PREPARED TO PROVIDE HIS RECOMMENDATIONS ON THAT DATE AS WELL.

MEETING ADJOURNED AT 7:17 P.M.



RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 10, 2015

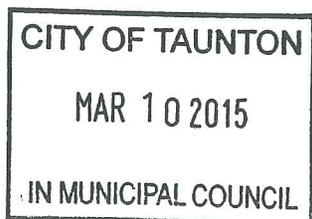
**THE COMMITTEE ON FINANCE AND SALARIES**

PRESENT WERE: COUNCILOR GERALD CROTEAU, CHAIRMAN AND COUNCILORS CARR AND  
POTTIER

MEETING CALLED TO ORDER AT 5:56 P.M.

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS  
**MOTION:** MOVE APPROVAL OF THE VOUCHERS AND PAYROLLS FOR CITY DEPARTMSNTS.  
SO VOTED.
2. MEET TO REVIEW MATTERS IN FILE  
THE CLERK WAS ASKED TO REMIND THE FIRE CHIEF TO PROVIDE THE SAFER GRANT FINANCIAL REPORTS  
TO THE COUNCIL WITHIN THE NEXT COUPLE OF WEEKS.

MEETING ADJOURNED AT 5:58 P.M.



RESPECTFULLY SUBMITTED,

  
COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES

REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



CITY CLERK

CITY OF TAUNTON  
MUNICIPAL COUNCIL  
MARCH 10, 2015

**THE COMMITTEE ON POLICE AND LICENSE**

PRESENT WERE: COUNCILOR SHERRY COSTA-HANLON, CHAIRMAN AND COUNCILORS CLEARY AND CROTEAU. ALSO PRESENT WERE POLICE CHIEF EDWARD WALSH, DETECTIVE DENNIS SMITH, CITY SOLICITOR JASON BUFFINGTON, ATTORNEY WILLIAM ROUNDS AND FREDERICK KINGSLEY

**MEETING CALLED TO ORDER AT 6:23 P.M.**

1. **MEET WITH THE POLICE CHIEF AND DETECTIVE SMITH ON PETITION OF ECO ATM INC., 2 GALLERIA MALL DRIVE FOR A SECOND HAND ARTICLE LICENSE TO BUY USED ELECTRONICS**  
THE POLICE CHIEF PROVIDED A LETTER DATED 3/10/2015 WHICH STATED THAT THE TUANTON POLICE DEPARTMENT LICENSE DIVISION FINDS NOTHNG THAT WOULD PREVENT THE APPROVAL OF THE PETITION OF ECO ATM, INC. FOR A SECOND HAND ARTICLE LICENSE TO BUY USED ELECTRONICS UTILIZING A KIOSKS MACHINE AT 2 GALLERIA MALL DRIVE.

**MOTION: MOVE APPROVAL AND LETTER OF POLICE CHIEF TO BE PART OF THE RECORD. SO VOTED.**

2. **MEET WITH THE POLICE CHIEF, DETECTIVE SMITH AND REPRESENTATIVE OF PLANET AUTO, 78-80 COHANNET STREET TO DISCUSS RENEWAL OF THEIR CLASS II LICENSE**

**MOTION: TO INVITE THE INTERESTED PARTIES IN. SO VOTED.**

ATTORNEY WILLIAM ROUNDS OF 115 BROADWAY AND MR. FREDERICK KINGSLEY, HIS CLIENT WERE PRESENT FOR THIS MEETING.

ATTORNEY ROUNDS ADDRESSED THE COMMITTEE AND STATED THAT HE, MR. KINGLSEY, THE MANAGER OF THE PLACE OF BUSINESS MET WITH DETECTIVE SMITH LAST WEEK. IT SEEMS TO HIM THAT THE PRIMARY ISSUE IS WHETHER OR NOT MR. KINGSLEY IS ACTUALLY THE HOLDER OF THE LICENSE. THERE WAS A SUSPICION ON THEIR PART THAT HE IS NOT, WHICH STEMS FROM THE FACT THAT HE HAS ANOTHER INDIVIDUAL WHO MANAGES THIS BUSINESS FOR HIM MOST OF THE TIME. MR. KINGSLEY IS INVOLVED, IS THERE ON A DAILY BASIS, BUT HE IS RETIRED, HE TRAVELS AND IS NOT THERE ALL THE TIME. HE IS NOT NECESSARILY AN EXPERT IN THE AUTOMOTIVE BUSINESS. HE DELEGATES A LOT OF THE AUTHORITY, IN TERMS OF RUNNING THE USED CAR DEALERSHIP TO THE OTHER INDIVIDUAL. HE IS STILL THE LICENSE HOLDER, HE IS THE PERSON WHO HAS THE BOND, HE IS THE PERSON THAT OWNS AND OPERATES THE BUSINESS AND HE OWNS THE REAL ESTATE WHERE THE BUSINESS IS LOCATED. HE IS INVOLVED ON A REGULAR BASIS. AS FAR AS ATTORNEY ROUNDS IS AWARE, THIS DOES NOT VIOLATE ANY RULE OR REGULATION, ANY ORDINANCE, ANY LAW OR ANY REQUIREMENT OF A LICENSE HOLDER. ATTORNEY ROUNDS SAID THAT THERE HAVE BEEN ALLEGATIONS THAT MR. KINGSLEY ILLEGALLY TRANSFERRED THE LICENSE, BUT THIS IS NOT TRUE, HE DENIES THAT. IT IS STILL HIS LICENSE. THERE HAVE BEEN NO COMPLAINTS UPON HIS DEALERSHIP. HE HAS A CLEAN RECORD AS A DEALER. THE CITY SOLICITOR STATED THAT HE AND DETECTIVE SMITH ARE HERE TO PRESENT INFORMATION THAT THEY HAVE FOR THE COMMITTEE TO CONSIDER. THE COUNCIL IS THE LICENSING AUTHORITY AND UNDER THE LAW CHAPTER 140 SECTON 59 IT SAYS THAT NO LICENSE SHALL BE GRANTED UNTIL THE LICENSING BOARD IS SATISFIED THAT THREE THINGS ARE MET.

THE CITY SOLICITOR CONTINUED SAYING THAT FIRST THE LICENSEE IS A PROPER PERSON. IT DOESN'T REALLY STATE WHAT EXACTLY A PROPER PERSON MEANS, BUT HE SUGGEST THAT AMONG OTHER THINGS IT MEANS A PERSON WHO HAS A CLEAN BACKGROUND. THERE IS NO REASON TO BELIEVE THAT MR.

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KINGSLEY DOES NOT HAVE A CLEAN BACKGROUND. THEY WOULD ALSO SUBMIT THAT A PROPER PERSON WOULD MEAN WHETHER THEY ARE ABIDING BY ALL OF THE LAWS THAT REGULATE THE BUSINESS. IS HE ABIDING BY SUCH THINGS AS ZONING AND CONDITIONS THAT EFFECT THE LICENSED PREMISES. THE SECOND IS THE LICENSING AUTHORITY SHALL NOT ISSUE A LICENSE UNLESS SATISFIED THAT THIS IS THE PROPOSED LICENSEE'S PRINCIPAL BUSINESS.

THIRD IS THAT THE LICENSEE HAS AVAILABLE A PLACE OF BUSINESS SUITABLE FOR THE BUSINESS. THESE ARE THE 3 CRITERIA THAT THE LAW TELLS YOU YOU SHOULD CONSIDER. YOU MUST BE SATISFIED THAT ALL 3 OF THESE THINGS EXIST BEFORE YOU CAN GRANT A LICENSE.

THE CITY SOLICITOR FURTHER STATED THAT WE ARE HERE TO CONSIDER WHETHER THE LICENSE OF MR. KINGSLEY SHOULD BE RENEWED.

THE SOLICITOR SAID THAT THERE IS ALSO A STATUTE THAT SAYS ALL LICENSES SHALL BE REVOKED BY THE LICENSING BOARD IF IT APPEARS AFTER A HEARING THAT A LICENSEE IS NOT COMPLIANT WITH SECTIONS 57-59 INCLUSIVE OF CHAPTER 140. THERE ARE A NUMBER OF REQUIREMENTS IN THOSE LAWS THAT THE LICENSEE IS SUPPOSED TO COMPLY WITH AND IF THE COUNCIL FINDS THAT THE LICENSEE IS NOT IN COMPLIANCE, THEN YOU SHALL REVOKE IT. NOT THAT YOU MAY REVOKE IT, YOU SHALL REVOKE IT. THE CITY SOLICITOR CONTINUED AND STATED THAT THERE IS A STATUTE CHAPTER 140, SECTION 62, THAT REQUIRES EVERY LICENSEE TO KEEP A SPECIFIC BOOK ON THE PREMISES AND IN THAT BOOK THE LICENSEE IS REQUIRED AT THE TIME OF PURCHASE OR AT THE TIME OF DISPOSAL OF A VEHICLE TO WRITE CERTAIN THINGS IN THE BOOK. THE BOOK IS A TYPE THAT IS ISSUED BY THE REGISTRY OF MOTOR VEHICLES, SO EVERYONE HAS THE SAME TYPE OF BOOK. SOME OF THE THINGS TO BE PUT IN THE BOOK IS THE NAME OF THE PERSON ON BEHALF OF THE BUSINESS WHO ACQUIRED THE VEHICLE OR WHO DISPOSED OF THE VEHICLE.

THIS IS THE BACKGROUND OF THE STATUTORY REQUIREMENTS THAT HE FEELS ARE INVOLVED. THE CITY SOLICITOR STATED THAT HE AND DETECTIVE SMITH ARE CONCERNED BECAUSE THERE IS A QUESTION AS TO WHO IS REALLY RUNNING THE BUSINESS. YOU CAN PUT THE LICENSE IN SOMEBODY'S NAME AND THAT PERSON CAN BASICALLY HAVE NOTHING TO DO WITH THE BUSINESS. IT WOULD APPEAR THAT THERE IS A LIKELIHOOD THAT IS WHAT IS GOING ON HERE. THE LAND WHERE THE ACTIVITY IS LICENSED TO OCCUR, 78-80 COHANNET STREET - IS IN MR. KINGSLEY'S NAME, THE LICENSE IS IN MR. KINGSLEY'S NAME, THERE IS A BUSINESS CERTIFICATE ON FILE THAT IS IN MR. KINGSLEY'S NAME, THE LICENSE APPLICATION IS IN HIS NAME. IT SURE WOULD APPEAR, WITH WHAT THEY HAVE BEEN ABLE TO ASCERTAIN, IS THAT THE PERSON WHO IS ACTUALLY RUNNING THE BUSINESS IS A GENTLEMAN NAMED KHALIL DOBEIB. IT APPEARS THAT HE IS THE ONE WHO RUNS THIS BUSINESS, WHO BASICALLY DOES EVERYTHING DEALING WITH THIS BUSINESS.

THE CITY SOLICITOR STATED THAT AT THE LAST COUNCIL MEETING, MR. KINGSLEY SAID THAT SINCE HE HAS HAD THE LICENSE HE HAS NEVER BOUGHT OR SOLD A CAR. MR. KINGSLEY ALSO SAID THAT MR. DOBEIB IS RUNNING THE WHOLE SHOW AND IN CHARGE OF EVERYTHING. THE BUSINESS IS LEASED TO MR. DOBEIB AND HE ASSUMES ALL OF THE RESPONSIBILITY.

THE CITY SOLICITOR SAID A MEETING WAS HELD LAST WEEK IN HIS OFFICE. DETECTIVE SMITH, ATTORNEY DEABREU, MR. KINGSLEY, ATTORNEY ROUNDS AND MR. DOBEIB WERE ALL THERE. MR. KINGSLEY AT THAT MEETING COULD NOT TELL THEM WHERE THEY GET THE VEHICLES, HE COULD NOT SAY HOW HE COMPENSATES HIS MANAGER. MR. KINGSLEY WAS ASKED WHAT THE PHONE NUMBER FOR THE BUSINESS IS AND HE WAS UNABLE TO TELL THEM THAT. WHEN ASKED WHERE THE PHONE RANG IF SOMEONE WERE TO CALL THAT NUMBER MR. KINGSLEY DID NOT KNOW THAT. WHAT WAS LEARNED AT THAT MEETING FROM MR. DOBEIB WAS THAT THE PHONE RINGS AT A CELL PHONE THAT MR. DOBEIB KEEPS ON HIS PERSON. THESE ARE ALL INDICATIONS THAT THE PERSON RUNNING THE BUSINESS IS MR. DOBEIB.

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DETECTIVE SMITH WAS RECENTLY IN CONTACT WITH THE MEINHEIM AUTO AUCTION IN DIGHTON. AMONG OTHER THINGS, DETECTIVE SMITH LEARNED THAT THE AUCTION LISTS THE MAILING ADDRESS ASSOCIATED WITH THIS LICENSE AS 274 WINTHROP STREET IN TAUNTON. THAT IS THE LOCATION, 272-274 WINTHROP STREET, OF A BUSINESS KNOWN AS PLANET PETROLEUM, WHICH IS OPERATED BY MR. DOBEIB AND HIS BROTHER. IT WOULD SEEM UNUSUAL THAT THE AUCTION WOULD HAVE A MAILING ADDRESS FOR THIS LICENSE AT MR. DOBEIB'S OTHER BUSINESS.

THE CITY SOLICITOR CONTINUED SAYING THAT AS EVERYONE PROBABLY KNOWS, THE PLANET PETROLEUM PREMISES IS AND HAS BEEN THE SUBJECT OF A NUMBER OF COMPLAINTS THROUGHOUT THE YEARS. ALL SORTS OF COMPLAINTS, BUT MAINLY EXCESS STORAGE OF MOTOR VEHICLES AND PARTS. THE CITY SOLICITOR IN HIS OPINION IS THAT THE PREMISES AT 272-274 WINTHROP STREET ARE IN VIOLATION OF CITY ZONING ORDINANCES, A ZBA DECISION AND A LAND COURT JUDGMENT. WHEN DETECTIVE SMITH AND HE FIRST MET ON THIS ISSUE, THE ONLY PERSON DETECTIVE SMITH HAS EVER DEALT WITH WAS MR. DOBEIB. IT SORT OF HAPPENED THAT AT THAT SAME TIME THE LAW DEPARTMENT WAS IN THE PROCESS OF WORKING WITH OTHER CITY DEPARTMENTS TO BEGIN THE PROCESS OF GOING BACK TO COURT OVER THE PLANET PETROLEUM PREMISES. THAT WOULD BE A COMPLAINT FOR CONTEMPT FOR BEING IN VIOLATION OF THE LAND COURT JUDGMENT. THERE IS REALLY NO QUESTION THAT THE ZONING ENFORCEMENT OFFICER HAD BEEN OUT THERE THAT THIS PROPERTY IS IN VIOLATION. THERE IS CONCERN THAT IF MR. DOBEIB IS REALLY OPERATING THE BUSINESS AT 78-80 COHANNET STREET THAT IT MAY RUN IN A SIMILAR MANNER AS PLANET PETROLEUM. WHEN DETECTIVE SMITH WENT OUT TO COHANNET STREET IN DECEMBER OF 2014, HE TOOK A NUMBER OF PHOTOGRAPHS AND IT BASICALLY LOOKS EXACTLY THE SAME AS PLANET PETROLEUM. THE PHOTOGRAPHS HAVE BEEN SUPPLIED TO ATTORNEY ROUNDS.

IN FAIRNESS, THE CITY SOLICITOR DID SAY THAT THEY HAVE TAKEN STEPS TO CLEAN SOME OF IT UP. DETECTIVE SMITH WENT BACK TO 78-80 COHANNET STREET IN JANUARY AND FOUND IMPROVEMENT, BUT IT IS STILL IN VIOLATION OF ZONING PROVISIONS THAT EFFECT 78-80 COHANNET STREET. THERE IS SIGNIFICANT CONCERN THAT THE PERSON OPERATING IT IS REALLY MR. DOBEIB. MR. KINGSLEY HAS REPRESENTED TO THE CITY AND THIS COMMITTEE THAT HE IS THE ONE OPERATING THE BUSINESS AND THAT IT IS HIS PRINCIPAL BUSINESS. THIS DOES NOT SEEM TO BE THE CASE.

REGARDLESS OF WHETHER THAT IS THE CASE, MR. KINGSLEY AS THE LICENSEE IS ULTIMATELY RESPONSIBLE FOR ENSURING THAT THE BUSINESS IS RUN PROPERLY. THE CITY SOLICITOR SUBMITS THAT AT THE VERY LEAST THERE ARE 2 REASONS TO SUGGEST TO THE COMMITTEE THAT MR. KINGSLEY IS NOT A PROPER PERSON TO BE LICENSED. ONE OF THEM HAS TO DO WITH THE MANNER IN WHICH THE PREMISES HAS BEEN KEPT AT 78-80 COHANNET STREET AS EVIDENCED BY THE PHOTOGRAPHS TAKEN BY DETECTIVE SMITH.

THE CITY SOLICITOR FURTHER STATED THAT AT 78-80 COHANNET STREET THERE IS A DIRB DECISION AND IT CONTAINS 9 CONDITIONS. THE CONDITIONS THAT ARE MOST LIKELY AT PLAY HERE ARE CONDITION NO. 3 - THE LIMIT FOR VEHICLES FOR DISPLAY AND/OR SALE SHALL BE FOUR AND THEY SHALL BE PLACED IN THE DESIGNATED DISPLAY AREAS. CONDITION NO. 4 - THE SITE SHALL BE KEPT CLEAN AND CLEAR OF DEBRIS. THIS CONDITION HAS BEEN VIOLATED OVER AND OVER AGAIN. CONDITION NO. 6 - THERE SHALL BE NO STORAGE OF VEHICLE PARTS OUTSIDE AND CONDITION NO. 7 - THERE SHALL BE NO STORAGE OF VEHICLES WAITING FOR REPAIR OR PICKUP ON THE EXTERIOR OF THE BUILDINGS EXCEPT FOR ONE SPACE IN FRONT OF THE GARAGE DOORS FOR "DON'S GARAGE". THERE IS EXTENSIVE STORAGE OF VEHICLES ON THE PROPERTY. IT PUTS A LIMIT ON THE LICENSE OF 4 VEHICLES.

THERE WERE ALSO PHOTOS FROM DECEMBER 18, 2014 WHERE YOU CAN CLEARLY SEE STORAGE OF MOTOR VEHICLE PARTS. THE SITE IS NOT KEPT CLEAN AND CLEAR OF DEBRIS. THERE ARE VEHICLES THAT

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ARE DISPLAYED OTHER THEN IN THE DESIGNATED AREAS, THAT THERE IS STORAGE OF VEHICLES IN EXCESS OF 1.

**MOTION: PHOTOGRAPHS OF DECEMBER 18, 2014 TO BE PART OF THE RECORD. SO VOTED.**

THE CITY SOLICITOR NOTED THAT THE PHOTOGRAPHS SHOW THE CONDITION OF THE PROPERTY A COUPLE OF WEEKS AFTER THE APPLICATION FOR RENEWAL WAS SUBMITTED.

HE ALSO NOTED THAT THE SECOND SET OF PHOTOGRAPHS SUBMITTED WERE FROM JANUARY 21, 2015 WHICH SHOW AGAIN THE PREMISES ARE NOT KEPT CLEAN AND CLEAR OF DEBRIS.

**MOTION: PHOTOGRAPHS OF JANUARY 21, 2015 TO BE PART OF THE RECORD. SO VOTED.**

THE CITY SOLICITOR ALSO NOTED THAT THERE WAS A THIRD SET OF PHOTOGRAPHS DATED JULY, 2014 WHICH ALSO SHOWED THAT THERE WERE NUMEROUS VEHICLES BEING STORED WHICH IS A VIOLATION AND THE SITE WAS NOT KEPT CLEAN AND CLEAR OF DEBRIS AND STORED VEHICLES IN EXCESS OF ONE.

**MOTION: PHOTOGRAPHS OF JULY, 2014 TO BE MADE PART OF THE RECORD. SO VOTED.**

THE CITY SOLICITOR CONTINUED STATING THAT THERE IS THE INABILITY OF THE LICENSEE TO KEEP THE LICENSED PREMISES IN A MANNER THAT CONFORMS WITH THE REGULATIONS THAT APPLY TO THE LICENSED ACTIVITY.

THE OTHER ISSUE, HE SAID, CONCERNS M.G.L. CHAPTER 140, SECTION 62 WHICH ADDRESSES THE USED MOTOR VEHICLE RECORD BOOK. DETECTIVE SMITH HAD MADE A COPY OF THE RECORD BOOK. ATTORNEY BUFFINGTON NOTED THAT THEY FOUND AFTER GOING THROUGH THE BOOK THAT THERE ARE A TOTAL OF 29 VEHICLES LISTED IN THE BOOK, REPRESENTING A TOTAL OF 47 BUYING AND SELLING TRANSACTIONS. ACCORDING TO THE BOOK, 29 VEHICLES WERE ACQUIRED AND 18 OF THOSE VEHICLES WERE ULTIMATELY DISPOSED FOR A TOTAL OF 29 ACQUISITION TRANSACTION, 18 DISPOSAL TRANSACTION FOR A TOTAL OF 47 TRANSACTIONS. ACCORDING TO THE BOOK THERE BEING 29 VEHICLES ACQUIRED AND ONLY 18 DISPOSED THAT WOULD MEAN THAT THEY STILL HAVE 11 VEHICLES. THE PREMISES ARE CURRENTLY LICENSED FOR 4 VEHICLES. IN THE 47 BUYING AND SELLING TRANSACTIONS, WHOEVER IT IS THAT KEPT THIS BOOK DID NOT FILL IN WHERE IT SAYS NAME OF PERSON WHO ACQUIRED THE VEHICLE AND WHERE IT SAYS NAME OF PERSON WHO DISPOSED OF VEHICLE, THAT IS ONLY FILLED IN ONE TIME.

THERE ARE SEVERAL VIOLATIONS IN THE BOOK, BUT PERHAPS THE MOST TROUBLING ASPECT IS SOMETHING THAT WAS DISCOVERED BY DETECTIVE SMITH WHEN HE CONTACTED THE AUTO AUCTION ON FRIDAY AND FOUND OUT THAT THE AUTO AUCTION RECORDS SHOW THAT BETWEEN 10/3/2013 AND 12/18/2014, A PERIOD OF ABOUT 14 MONTHS, SHOW THAT THIS LICENSE WAS USED TO PURCHASE 34 VEHICLES AT THEIR AUCTION. YOU WILL RECALL THAT THERE ARE ONLY 29 VEHICLES LISTED IN THE BOOK. WHAT IS MORE TROUBLING IS THAT OF ALL THE 34 VEHICLES LISTED BY THE AUTO AUCTION AS HAVING BEEN ACQUIRED BY THIS LICENSE, ONLY 2 OF THOSE VEHICLES SHOW UP IN THE BOOK. THE BOOK LISTS 29 ACQUISITIONS OF VEHICLES, BUT THEY HAVE BEEN ABLE TO ASCERTAIN THAT THERE ARE ADDITIONAL VEHICLES THAT HAVE BEEN ACQUIRED WITH THIS LICENSE THAT HAVE NEVER MADE IT TO THE BOOK AT ALL. THERE IS NO WAY TO TELL WITHOUT FURTHER RESEARCH WHAT HAPPENED AND WHERE THESE VEHICLES ARE.

THE CITY SOLICITOR SAID THAT IF YOU ACCEPT THE PREMISE THAT THIS IS MR. KINGSLEY'S PRINCIPAL BUSINESS, AND IT DOES NOT APPEAR THAT IT IS, BUT IF THE COUNCIL DOES ACCEPT IT, MR. KINGSLEY DESPITE BEING A VERY NICE PERSON, IS NOT THE PROPER PERSON TO HAVE THE LICENSE IN THE JUDGMENT OF DETECTIVE SMITH. THE CITY SOLICITOR CONCURS WITH THIS. THE CONDITION OF THE PREMISES, THE FAILING TO ABIDE BY THE RECORD BOOK REQUIREMENTS AND FAILING TO ENSURE THAT

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HIS MANAGER IS DOING THESE THINGS ARE ISSUES.

COUNCILOR CROTEAU STATED THAT THERE ARE 2 BUSINESSES MENTIONED, PLANET PETROLEUM AT 272-274 WINTHROP STREET AND PLANET AUTO AT 78-80 COHANNET STREET. THREE WEEKS AGO HE ASKED IF PANET AUTO WAS A PLANET PETROLIUM BUSINESS AND NOW HE FINDS OUT THAT IT IS. THIS IS AN ATTEMPT BY SOMEONE WHO HAS HAD SIGNIFICANT DIFFICULTY WITH THIS CITY TO OBTAIN A LICENSE, SO YOU OBTAIN A LICENSE THROUGH SOMEONE ELSE. MR. KINGSLEY IS TOTALLY UNAWARE, BUT AS LONG AS HIS NAME IS ON THAT DOCUMENT, HE IS RESPONSIBLE. HE ASKED MR. KINGSLEY WHAT HAPPENED TO THE CARS.

MR. KINGSLEY SAID YOU WOULD HAVE TO SEE THE MANAGER FOR THAT.

COUNCILOR CROTEAU AGAIN TOLD MR. KINGSLEY THAT HE IS RESPONSIBLE.

COUNCILOR CROTEAU SAID THAT MR. KINGSLEY SAID HE LEASED THE PROPERTY ON COHANNET STREET, SO HE WOULD LIKE TO SEE THE LEASE.

ATTORNEY ROUNDS SAID THERE IS A LEASE. HE ALSO SAID THAT FURTHERMORE, MR. KINGSLEY IS NOT PLANET PETROLEUM. HE REALIZES THAT THE COMMITTEE WANTS TO COMBINE THE TWO BUT PLANET PETROLEUM IS NOT HIS BUSINESS. ATTORNEY ROUNDS SAID THAT MR. DOBEIB PAYS THE MORTGAGE, TAXES AND EXPENSES ON THE PROPERTY AT 78-80 COHANNET STREET AS PART OF THE LEASE.

**MOTION: THAT THE COMMITTEE BE PROVIDED WITH A COPY OF THE LEASE.**

**THIS MOTION WAS NOT SECONDED.**

COUNCILOR CLEARY SAID THAT THIS IS THE SECOND MEETING ON THE RENEWAL OF THIS CLASS II LICENSE. THE CITY SOLICITOR MADE A DETAILED PRESENTATON ON THE QUESTIONABLE MANAGEMENT OF THE OPERATION, WHICH IS A REQUIREMENT. THERE ARE SOME QUESTIONS ABOUT CONFORMING TO THE DIRB, QUESTIONS ABOUT WHO IS RUNNING THE PLACE. RATHER THAN POSTPONE THIS AGAIN FOR 3 WEEKS HE FEELS THE COMMITTEE SHOULD DENY THE LICENSE BASED ON THE INFORMATION THAT WAS PROVIDED.

COUNCILOR CLEARY MADE THE FOLLOWING MOTION:

**MOTION: TO DENY THE RENEWAL OF THE LICENSE.**

**COUNCILOR CROTEAU SECONDED THE MOTION.**

ATTORNEY ROUNDS SAID THAT MR. KINGSLEY UNDERSTANDS THIS IS HIS RESPONSIBILITY. THERE WAS A REPRESENTATION THAT HE SAID LAST TIME THAT MR. DOBEIB ASSUMES ALL RESPONSIBILITY FOR THE BUSINESS. THIS IS ABSOLUTELY NOT TRUE. MR. ROUNDS DOES NOT BELIEVE HE EVER SAID THAT AND IF HE DID HE MIS-SPOKE. HE HAS MADE IT CLEAR WITH EVERY MEETING WITH ATTORNEY ROUNDS AND EVERY MEETING WITH THE CITY SOLICITOR THAT HE UNDERSTANDS THIS IS HIS LICENSE, HE HAD TO BOND IT, THIS IS HIS RESPONSIBILITY. ATTORNEY ROUNDS FURTHER NOTED THAT THE MOST SIGNIFICANT POINT MADE WAS THE ONE ABOUT THE MISSING CARS. HE BELIEVES THIS IS A SERIOUS ALLEGATION AND ONCE AGAIN, OBVIOUSLY IT IS MR. KINGSLEY'S RESPONSIBILITY. MR. ROUNDS SAID THAT HE DID NOT HAVE TO ASK MR. KINGSLEY ABOUT THIS BECAUSE FROM HIS REACTION HE HAD NO KNOWLEDGE ABOUT THIS. ATTORNEY ROUNDS HAD NO KNOWLEDGE OF THIS. HE ALSO SAID THAT HE MET WITH THESE PEOPLE THE OTHER DAY AND WAS GIVEN NO KNOWLEDGE OF THIS. MR. CLEARY MENTIONED THAT WE MET 3 WEEKS AGO AND NOW WE ARE BACK. THREE WEEKS AGO ATTORNEY ROUNDS CAME HERE PREPARED TO DISCUSS THE LETTERS THAT DETECTIVE SMITH HAD GIVEN HIS CLIENT REGARDING CONCERNS ABOUT THE OPERATION OF THE BUSINESS. ESSENTIALLY THEY HAD TO DO WITH NONCOMPLIANCE WITH NOT HAVING A SIGN, NOT HAVING A SEPARATE OFFICE, NOT HAVING THE VEHICLES DISPLAYED IN THE PROPER PLACE AND SO FORTH. VIRTUALLY ALL OF THOSE CONCERNS WITH THE EXCEPTION OF ONE WERE ADDRESSED. YOU CAN SEE FROM THE PICTURES THAT WERE TAKEN IN DECEMBER AND THE PICTURES THAT WERE TAKEN IN JANUARY THEY SHOW SIGNIFICANT CHANGES.

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A SIGN WAS ADDED, THE OFFICE WAS SEGREGATED, MOST OF THE VEHICLES WERE REMOVED. THERE WAS A MAJOR ATTEMPT, AT LEAST, TO COOPERATE AND ADDRESS THE CONCERNS THAT DETECTIVE SMITH HAD RAISED. THE ONLY ONE TO ATTORNEY ROUNDS KNOWLEDGE THAT HAD NOT BEEN ADDRESSED AND THE ONLY ONE MENTIONED IN HIS JANUARY LETTER WHICH WAS THE LAST LETTER RECEIVED PRIOR TO THE LAST MEETING, WAS THERE WAS STILL TIRES THERE THAT SHOULD NOT HAVE BEEN THERE AND THIS IS TRUE. THE TIRES ARE STILL THERE BECAUSE AS EVERYONE KNOWS WAS DUE TO THE SNOW. THEY HAD BEEN MOVED FROM THE REAR AREA OF THE PROPERTY TO THE FENCE NEAR THE FRONT OF THE PROPERTY IN THE ANTICIPATION OF BRINGING A TRUCK THERE AND GETTING THEM OUT. THEN THE SNOW CAME AND THEY WERE UNABLE TO OPEN THE GATE ON THE FENCE. YES, THEY SHOULD HAVE BEEN OUT OF THERE AS PER THE DIRB CONDITION. WHEN ATTORNEY ROUNDS CAME TO THE LAST MEETING, THAT WAS THE ONLY THING HE WAS PREPARED TO DISCUSS BECAUSE THAT WAS THE ONLY THING THEY HAD BEEN GIVEN NOTICE OF. THEN HE FOUND OUT THAT THERE WAS A DESIRE TO TALK ABOUT WHO IS ACTUALLY RUNNING THE BUSINESS. HE SAW THAT THE CITY SOLICITOR HAD A STACK OF DOCUMENTS THAT HE HAD NEVER SEEN BEFORE AND HE DOES NOT THINK IT WAS VERY FAIR TO SPRING THIS ON THEM AT THE LAST MINUTE WITH NO ADVANCE KNOWLEDGE. TO THE COUNCIL'S CREDIT THEY HAD AGREED TO GIVE THEM A FEW WEEKS SO THEY COULD LOOK AT THAT INFORMATION, MEET WITH THE CITY SOLICITOR AND DETECTIVE SMITH AND RESPOND TO THEM.

ATTORNEY ROUNDS CONTINUED AND SAID AGAIN HE CAME HERE TONIGHT TO ADDRESS THAT INFORMATION AND NOW THERE IS MORE INFORMATION. THERE IS SOMETHING NEW THAT THEY NEED TO ADDRESS. HE SAID THIS IS THE FIRST THAT HE HAS HEARD OF THIS. ASIDE FROM THAT, HE FEELS THAT THEY MADE A REASONABLE ATTEMPT TO ADDRESS ALL OF THE CONCERNS. HE AGREES THAT THERE ARE SOME PROBLEMS AND DISCREPANCIES IN THE WAY THAT THE BOOK HAS BEEN KEPT, BUT A BOOK HAS BEEN KEPT AND MOST OF THE INFORMATION REQUIRED IS IN THERE. HE THINKS THE STATUE THAT SAYS YOU SHALL REVOKE THE LICENSE IS ADDRESSING IF NO BOOK IS KEPT WHATSOEVER OR THE BOOK IS KEPT IN A FRAUDULENT MANNER. THE VEHICLES THAT ARE MISSING IS A TOTALLY SEPARATE ISSUE. HE IS NOT PREPARED TO ADDRESS IT BECAUSE HE KNEW NOTHING ABOUT IT UNTIL 5 MINUTES AGO. WITH THAT EXEPTION, HE DOES NOT THINK THAT THERE IS ANY BASIS FOR DENYING A LICENSE TO MR. KINGSLEY. HE IS A PROPER PERSON. HE PROVIDED THE BOND RQUIRED BY THE STATUTE, HE HAS A PROPER LOCATION, HE HAS A REPAIR FACILITY ON SITE. ALL THESE STATUTORY REQUIREMENTS HE MEETS. ATTORNEY ROUNDS FURTHER STATED THAT IT SEEMS TO HIM THAT THE BIG ISSUES IS THE INDIVIDUAL HE CHOSE TO MANAGE THE BUSINESS. MAYBE HE MADE A BAD DECISION, BUT WE WILL FIND OUT ABOUT THAT, BUT TO THE EXTENT THAT THERE IS ANIMUS TOWARDS THAT INDIVIDUAL, HE DOES NOT THINK IT IS FAIR TO APPLY THAT TO MR. KINGSLEY.

COUNCILOR COSTA-HANLON ASKED ATTORNEY ROUNDS WHAT HE WOULD LIKE TO SEE THIS COMMITTEE DO. SHE FURTHER NOTED THAT ATTORNEY ROUNDS ACKNOWLEDGED THAT IT IS PRETTY SERIOUS. 34 VEHICLES THAT ARE NOT ONLY AT THIS LOCATION BUT THE LICENSE AND ALL THE INFOMRATION FROM THE AUTO AUCTION SHOWS THAT THE VEHICLES ARE GOING TO PLANET PETROLEUM. SHE UNDERSTANDS WHAT HE IS SAYING AS FAR AS KEEPING THEM SEPARATE, BUT SHE THINKS THAT COUNCILOR CROTEAU DREW THE TWO POINTS VERY ACCURATELY. THAT IS A SERIOUS ISSUE. THERE IS A MOTION ON THE FLOOR THAT THE COMMITTEE WILL VOTE ON, BUT SHE IS WONDERING WHAT ATTORNEY ROUNDS WOULD ASK THIS COMMITTEE TO DO CONSIDERING THAT.

ATTORNEY ROUNDS SAID THE FAIR THING TO DO WOULD BE TO GIVE MR. KINGSLEY AN OPPORTUNITY TO INVESTIGATE HIMSELF REGARDING WHAT HAS BEEN GOING ON WITH THE DEALS AT THE AUTO AUCTION. THIS IS THE FIRST TIME THAT HE HAS HEARD OF IT. IF HE CANNOT PROVIDE THE COUNCIL WITH AN ADEQUATE EXPLANATION OF WHAT IS GOING ON THEN ATTORNEY ROUNDS WOULD UNDERSTAND THE MOTION THAT IS ON THE FLOOR. AT THIS POINT THIS IS THE FIRST HE HAS HEARD OF

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IT. NOW, SHAME ON HIM FOR NOT BEING MORE HANDS ON, BUT ATTORNEY ROUNDS SAID HE HAS HAD AN OPPORTUNITY TO LOOK INTO OTHER SIMILAR BUSINESSES IN THE CITY AND A VAST MAJORITY ARE RUN IN A VERY SIMILAR MANNER WITH THE PERSON WHO IS THE PRIMARY LICENSE HOLDER THAT APPLIED IS NOT THE PERSON THAT IS INVOLVED IN THE DAY TO DAY MANAGEMENT. TO THE BEST OF HIS ABILITY TO FIND OUT, THE MAIN DIFFERENCE HAS BEEN THAT MANY OF THOSE ARE RUN UNDER A CORPORATION. FROM HIS DISCUSSION WITH DETECTIVE SMITH AND THE CITY SOLICITOR THIS MAKES ALL THE DIFFERENCE IN THE WORLD TO THEM. A CORPORATION CAN DELEGATE AND HAVE ALL KINDS OF PEOPLE DOING ALL KINDS OF THINGS AND THE ONE PERSON WHO ACTUALLY OWNS THE CORPORATION MAY NOT KNOW ANYTHING ABOUT WHAT IS GOING ON, BUT IF IT IS AN INDIVIDUAL, YOU HAVE TO KNOW EVERYTHING. MR. KINGSLEY DOESN'T KNOW EVERYTHING ABOUT WHAT IS GOING ON, OBVIOUSLY. HE DOES NOT THINK THIS IS ILLEGAL, OR A VIOLATION, BUT IF THINGS HAVE BEEN GOING ON UNDER HIS WATCH THAT ARE IMPROPER, THEN IT IS A DIFFERENT STORY BECAUSE IT IS ULTIMATELY HIS RESPONSIBILITY. SOME TIME TO LOOK INTO THIS WOULD BE APPRECIATED.

COUNCILOR COSTA-HANLON SAID THAT 3 WEEKS AGO, SHE WAS READY TO TERMINATE BASED ON WHAT SHE HEARD. NOW SHE HAS HEARD SO MUCH MORE. HER ISSUES WITH THIS STEM FROM THE FACT THAT MR. KINGSLEY JUST IS NOT RUNNING THIS BUSINESS THE WAY IT SHOULD BE AND YOU CANNOT DELEGATE THAT RESPONSIBILITY. EVEN IF YOU CAN DELEGATE THAT RESPONSIBILITY HE HAS CHOSEN TO DO IT IN A VERY POOR MANNER. SHE CERTAINLY HAD ISSUES WITH WHAT WAS PRESENTED CONCERNING THE DIRB, BUT THE BIGGEST ISSUE SHE HAD IS THAT BOOK AND NOW WE SEE THAT IT HAS EVEN MORE ISSUES. THE REAL CONCERN AND DISCONNECT FOR HER IS THAT DETECTIVE SMITH WAS DEALING WITH THE REPRESENTATIVE, HE WAS NEVER DEALING WITH MR. KINGSLEY. WE HAVE NOTES OF HIM CALLING AND CALLING AND CALLING AND AT ALL TIMES HE SPOKE WITH KHALIL DOBEIB. IT IS APPARENT TO HER THAT MR. DOBEIB WAS MADE KNOWN WHAT HAPPENED IN THIS BOOK. IT IS UNFORTUNATE THAT HE DID NOT PASS IT DOWN TO MR. KINGSLEY. IT IS VERY CLEAR THAT KHALIL DOBEIB, WHO IS THE PERSON HE CHOSE TO TAKE RESPONSIBILITY FOR THIS KNEW ABOUT THIS BOOK AND KNEW ABOUT THESE OTHER THINGS. DETECTIVE SMITH MADE IT VERY CLEAR IN DECEMBER OF 2014 THAT THERE WERE ISSUES WITH THIS BOOK. IT IS UNFORTUNATE THAT MR. KINGSLEY DID NOT FIND OUT ABOUT IT, BUT THE BUCK STOPS WITH HIM. DETECTIVE SMITH CONTACTED MR. KINGSLEY IN JUNE OF 2014 AND HE HAD ALL THAT TIME TO FIND OUT WHAT WAS GOING ON AND IN HER OPINION MR. KINGSLEY CHOSE NOT TO. AGAIN SHE STATED THAT 3 WEEKS AGO SHE HAD ENOUGH INFORMATION AND DID NOT LIKE WHAT WAS GOING ON. SHE DID NOT THINK IT SHOULD HAVE BEEN CONTINUED. HOWEVER, THE OTHER 2 COMMITTEE MEMBERS WERE WILLING TO GIVE HIM MORE TIME BUT UNFORTUNATELY SHE DOES NOT THINK MR. KINGSLEY USED IT WISELY.

COUNCILOR CROTEAU SAID THAT THE ADDRESS ON THE AUTO AUCTION BOOK IS 272-274 WINTHROP, PLANET PETROLEUM. HE WOULD SUBMIT FOR THE RECORD THAT HE DID NOT MAKE THE CONNECTION BETWEEN PLANET PETROLEUM AND PLANET AUTO. WHOEVER TOLD THE AUTO AUCTION TO SEND THE VEHICLES TO 272-274 WINTHROP STREET MADE THE CONNECTION.

MR. KINGSLEY SAID HE DID NOT KNOW WHO DID THAT.

COUNCILOR CROTEAU SAID THAT MR. KINGSLEY'S NAME IS ON THE LICENSE. HE THINKS THIS IS NOT A QUESTION OF LEGALITY, BUT MAYBE THERE IS, BUT BASICALLY IT IS A QUESTION OF INCOMPETENCE. EVERYTIME MR. KINGSLEY HAS BEEN ASKED A QUESTION ABOUT THIS BUSINESS, THE LICENSE FOR WHICH HE HOLDS, MR. KINGSLEY DOESN'T KNOW ANYTHING ABOUT IT. MR. KINGSLEY IS ASKING THIS COMMITTEE TO GIVE HIM A LICENSE TO RUN A BUSINESS, AND FOR A WHOLE YEAR MR. KINGSLEY HAS BEEN RESPONSIBLE FOR THAT BUSINESS AND HE KNOWS NOTHING ABOUT IT.

COUNCILOR COSTA-HANLON NOTED THAT DETECTIVE SMITH WAS GOING TO PRESENT SOMETHING, AND WANTED THE COMMITTEE TO MAKE PART OF THE RECORD

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**THE COMMITTEE ON POLICE AND LICENSE - CONTINUED**

COUNCILOR CLEARY ASKED AND IT WAS AGREED TO MAKE PART OF THE ABOVE MOTION THAT **THE MEMO DATED MARCH 6, 2015 DEALING WITH THE INFORMATION FROM MANHEIM AUTO AUCTION BE PART OF THE MOTION AND THAT A COPY BE PROVIDED TO ATTORNEY ROUNDS.**

COUNCILOR CLEARY SAID THAT 3 WEEKS AGO WAS NOT THE FIRST MEETING ON PLANET AUTO. HE THINKS DETECTIVE SMITH HAD BEEN HERE BEFORE TO TALK ABOUT SOME ISSUES HE HAD WITH PLANET AUTO. IT WAS 3 WEEKS AGO THAT ATTORNEY ROUNDS WAS HERE WITH MR. KINGSLEY. THIS IS HIS 4<sup>TH</sup> MEETING ON RENEWING PLANET AUTO'S REQUEST TO RENEW THE CLASS II LICENSE. HE ALSO NOTED THAT HE IS CONCERNED WITH A PERSON GETTING AN OPPORTUNITY TO OPERATE A BUSINESS UNDER SOMEBODY ELSE'S LICENSE AND CIRCUMVENTING THE WAITING LIST. HE WOULD LIKE THE MOTION VOTED ON AND HE BELIEVES THIS REQUEST SHOULD BE DENIED.

**THE MOTION WAS VOTED ON AND CARRIED BY UNANIMOUS VOTE OF THE COMMITTEE TO DENY THE RENEWAL OF THIS LICENSE.**

**3. MEET TO REVIEW MATTERS IN FILE.**

DETECTIVE SMITH PROVIDED A LETTER DATED 3/4/2015. HIS LETTER STATED THAT THE FOLLOWING APPLICATIONS FOR CLASS II AUTO SALES LICENSES HAVE BEEN RECEIVED BY THE CITY CLERK'S OFFICE, FORWARDED TO THE CITY COUNCIL AND REFERRED TO THE COMMITTEE ON POLICE AND LICENSE FOR CONSIDERATION. THEY WERE THEN REFERRED TO THE TAUNTON POLICE DEPARTMENT LICENSE DIVISION FOR INVESTIGATION. THERE LIES THE FOLLOWING DILEMMAS:

1. ON AUGUST 29, 2014 AN APPLICATION FOR A NEW CLASS II AUTO SALES LICENSE WAS RECEIVED FROM LEONARD'S AUTO REPAIR AND PERFORMANCE INC. LOCATED AT 265 BAY STREET TAUNTON AND ACCEPTED BY THE CITY CLERK. ON OCTOBER 21, 2014 THE APPLICANT WAS SENT A LETTER BY DETECTIVE SMITH INFORMING THEM THAT THE APPLICATION COULD NOT BE CONSIDERED UNTIL THEY COMPLETED A REVIEW BY THE ZONING BOARD OF APPEALS FOR A CHANGE OF USE. AS OF MARCH 2, 2015 NO PAPERWORK HAS BEEN FILED WITH SAID BOARD AND I HAVE NOT HEARD FROM THE APPLICANT.

THE SECOND PART OF THE LETTER STATED AS FOLLOWS:

2. ON DECEMBER 3, 2014 AN APPLICATION TO TRANSFER A CLASS II LICENSE HELD BY GARY MALTAIS, D/B/A MARLI MOTORS LOCATED AT 17 TREMONT STREET TO ROBERT MARTIN D/B/A RM AUTO SALES, 263 BROADWAY WAS RECEIVED AND ACCEPTED BY THE CITY CLERK'S OFFICE. IT BEING DECEMBER THE MONTH FOR RENEWALS, DETECTIVE SMITH INFORMED THE CITY CLERK THAT THE CURRENT LICENSEE WOULD FIRST HAVE TO RENEW SAID LICENSE AND INFORM THE PARTIES INVOLVED THAT A SITE PLAN REVIEW WAS REQUIRED DUE TO CHANGE OF USE OF THE LOCATION. THE CURRENT LICENSEE DID RENEW.

AS OF MARCH 2, 2015 NO PAPER WORK HAS BEEN FILED WITH THE PLANNING BOARD.

DETECTIVE SMITH IS REQUESTING SOME DIRECTION AND GUIDANCE REGARDING THESE TWO MATTERS. COUNCILOR CLEARY STATED THAT THE FIRST ONE, LEONARD AUTO REPAIR SHOULD BE PULLED FROM THE FILE, TO DENY IT.

COUNCILOR COSTA-HANLON STATED THAT THERE IS A BIGGER ISSUE THAT HAS BEEN DISCUSSED FOR A WHILE, AND SHE REFERRED THROUGH THE REGULAR COUNCIL TO LOOK AT HOW THE TOWN OF EASTON DOES THEIR APPLICATION. SHE FEELS THAT THE COMMITTEE NEEDS TO THINK ABOUT HOW THOSE APPLICATIONS COME IN AND WHETHER WE WANT TO NOTIFY PEOPLE UP FRONT THAT THEIR APPLICATION IS NOT COMPLETE. IF THE APPLICATION IS NOT COMPLETE IT SHOULD NOT BE ACCEPTED, THEN WE MAY NOT RUN INTO THESE ISSUES. THE APPLICANT WOULD HAVE TO DO CERTAIN THINGS

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**THE COMMITTEE ON POLICE AND LICENSE - CONTINUED**

FIRST BEFORE THE CITY ACCEPTS THE APPLICATION. THERE NEEDS TO BE A CHECK LIST SHOWING WHAT THEY HAVE TO DO TO GET THE LICENSE.

COUNCILOR CROTEAU ASKED WHO WILL DEVELOP THIS CHECK LIST.

COUNCILOR COSTA-HANLON SAID WE WOULD USE THE TOWN OF EASTON AS AN EXAMPLE.

COUNCILOR CROTEAU DOES NOT WANT THE CHECK LIST TO COME BEFORE THE COMMITTEE. HE WANTS DETECTIVE SMITH, THE CITY CLERK, WHOEVER TO TAKE THE CHECK LIST AND DEVELOP THEIR OWN AND BRING IT TO THE COMMITTEE FOR APPROVAL. ONCE THE CHECK LIST IS APPROVED THEN THEY TAKE THAT CHECK LIST AND MONITOR THE CHECK LIST. WHEN THEY SEND AN APPLICATION BACK TO SOMEONE WITH A NOTICE, THEY WILL ALSO COPY THIS COMMITTEE AND THEN PART OF THE CHECK LIST IS GOING TO BE REGULATION ON THE PART OF THIS COMMITTEE OR SOMEONE, THAT ONCE THAT CHECK LIST IS MONITORED AND APPLICATION IS SENT BACK, THE APPLICANT HAS 2-3 WEEKS, WHATEVER, TO CORRECT THE SITUATION AND RESUBMIT. IF ON THE SECOND TIME AROUND, IT IS STILL NOT COMPLETE THEN THE APPLICATION IS DEAD FOR A YEAR. MAYBE NOT A YEAR, ONCE THE APPLICATION IS DENIED THEY GO BACK TO THE END OF THE LIST.

COUNCILOR COSTA-HANLON SAID IT DOES NOT EVEN BECOME AN APPLICATION UNTIL EVERYTHING IS CHECKED OFF. EVERYTHING SHOULD BE DONE AND THEN IT WOULD COME TO THE COMMITTEE TO DECIDE YES OR NO.

COUNCILOR CROTEAU SAID THAT ONCE THE APPLICATION IS NOT ACCEPTED, THEY GIVE IT BACK, AND A LETTER COME TO THE COMMITTEE. NOW IF THE APPLICANT WANTS TO APPEAL THAT DECISION, THEY CAN COME BEFORE THE COMMITTEE.

COUNCILOR COSTA-HANLON SAID THE BEAUTY OF THIS CHECK LIST IS THERE IS NOT APPEAL, THE APPLICATION IS NOT COMPLETE.

COUNCILOR CROTEAU SAID HE HAS A PROBLEM WITH ANY PROCESS THAT DOES NOT PROVIDE AN APPEAL.

COUNCILOR CLEARY ASKED IF LEONARD AUTO SALES EXISTS RIGHT NOW AND IS SELLING CARS.

DETECTIVE SMITH SAID NO, THEY ARE NOT LEONARD AUTO SALES, THEY EXIST AS AN AUTO REPAIR BUSINESS AND ARE SEEKING A NEW CLASS II LICENSE.

COUNCILOR CLEARY ASKED IF THEY WERE JUMPING AHEAD ON THE LIST TO WHICH DETECTIVE SMITH ANSWERED THAT HE HAS NO IDEA ABOUT THE LIST. HOW THIS WORKS IS THAT A CITIZEN GOES TO THE CLERK'S OFFICE AND MAKE OUT A PETITION OR APPLICATION. IT GOES TO THE FULL COUNCIL AND THEN IT IS REFERRED TO THE POLICE AND LICENSE, THE CHIEF AND DETECTIVE SMITH. DETECTIVE SMITH ENDS UP BEING THE CLOG IN THE WHEEL WHERE IT ENDS BECAUSE HE FINDS THESE PROBLEMS, THEN HE TRIES TO CONTACT THE PEOPLE. WHAT HE IS ASKING FOR IS SOME DIRECTION.

**MOTION: THAT DETECTIVE SMITH SEND A LETTER TO LEONARD'S AUTO REPAIR THAT HE HAS NOT HEARD FROM THEM IN 7 MONTHS AND THAT THEIR REQUEST FOR A CLASS II LICENSE, OR THEIR INTEREST IN A CLASS II LICENSE IS NULL AND VOID.**

**MOTION WAS PASSED BY THE COMMITTEE BY UNANIMOUS VOTE.**

REGARDING THE SECOND ITEM, MARLI MOTORS, THIS WAS A REQUEST FOR A TRANSFER.

THE CHIEF SAID THAT MR. MALTAIS HAD A PRE-EXISTING BUSINESS WHO IN DECEMBER WANTED TO TRANSFER THE LICENSE.

DETECTIVE SMITH SAID DUE TO TIME RESTRAINTS, HE SUGGESTED THAT THEY RENEW THE LICENSE FIRST AND THEN THEY WOULD LOOK AT THIS TRANSFER.

IT WAS NOTED THAT IN ORDER TO TRANSFER THEY NEED A SITE PLAN REVIEW.

**MOTION: MARLI MOTOR'S REQUEST FOR A TRANSFER OF THE CLASS II LICENSE BE DENIED DUE TO LACK OF ACTION.**

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**THE COMMITTEE ON POLICE AND LICENSE - CONTINUED**

COUNCILOR CEOTEAU SECONDED THE MOTION ON DISCUSSION.

HE NOTED THAT MARLI MOTORS HOLDS THE LICENSE AND THEY DID RENEW IT.

THE ANSWER WAS YES.

COUNCILOR CROTEAU SAID THAT MARLI WAS IN CONVERSATION WITH SOMEBODY TO TRANSFER THE LICENSE BUT NO ONE HAS DONE ANY PAPERWORK ON THE TRANSFER, CORRECT.

DETECTIVE SMITH SAID THE CITY COUNCIL ACCEPTED THEIR APPLICATION AND IT WAS REFERRED TO POLICE AND LICENSE AND THE CHIEF AND THAT IS WHERE IT LIES BECAUSE THEY NEED TO DO MORE THINGS TO MOVE FORWARD.

**THE ABOVE MOTION WAS NOT VOTED ON.**

COUNCILOR CROTEAU MADE THE FOLLOWING MOTION.

**MOTION: THE REQUEST FOR TRANSFER IS DENIED FOR LACK OF ACTION ON THE PART OF ROBERT MARTIN. SO VOTED.**

COUNCILOR CLEARY SAID THAT IF THE COMMITTEE WANTS TO TALK ABOUT THE TOWN OF EASTON PROCESS, THEN THEY NEED TO HAVE IT IN FRONT OF THEM AND HAVE A SEPARATE MEETING TO DISCUSS IT.

THE CHIEF SAID THAT HE WILL COME BACK IN 3 WEEKS WITH A FLOW CHART ON HOW TO DEAL WITH THESE LICENSES.

**MOTION: TO FOLLOW THE RECOMMENDATION OF THE CHIEF FOR A DATE CERTAIN – MARCH 31, 2015 ON HOW TO DEAL WITH THE LICENSES. HE IS TO OBTAIN INPUT FROM THE CITY CLERK ALSO. SO VOTED.**

COUNCILOR CARR ASKED IF WHEN SOMEBODY HAS A USED CAR LICENSE, IF THEY DON'T SELL A CAR IN THE YEAR THAT THEY HAVE HAD THEIR LICENSE, DOES THE LICENSE REVOKED. DO THEY HAVE TO SELL CARS WHEN THEY HAVE A LICENSE?

DETECTIVE SMITH SAID RIGHT NOW THERE IS NO REQUIREMENT, BUT THE EASTON PACKET THAT HE HAS LOOKED AT DOES HAVE A REQUIREMENT.

THE CHIEF SAID IT WOULD BE A POCKET LICENSE, IT IS JUST THERE TO WAIT FOR A SELLER.

DETECTIVE SMITH STATED THAT OTHER COMMUNITIES DO ADDRESS THIS. YOU CANNOT JUST SIT ON A LICENSE, YOU HAVE TO BE ACTIVE.

COUNCILOR CARR THEN ASKED WHEN SOMEONE TRANSFERS A LICENSE, DO THEY ACTUALLY SELL IT, DO THEY GET MONEY FOR THAT LICENSE. SHE FURTHER STATED THAT SHE THINKS SOMETIMES PEOPLE GO AND GET A LICENSE, NEVER USE IT AND THEN SELL IT DOWN THE ROAD AND MAKE A SUBSTANTIAL AMOUNT OF MONEY, WHICH SHE FEELS IS NOT FAIR.

THE CHIEF SAID IT HAPPENS QUITE A BIT WITH LIQUOR LICENSES. YOU CANNOT SELL THE LICENSE FOR A SET FEE, BUT YOU CAN SELL THE BUSINESS. SO THAT IS HOW IT IS DONE.

COUNCILOR CARR SAID THAT SHE HAS ADVOCATED IN THE PAST THAT THE CITY OWNS THE LICENSE AND THE LICENSE SHOULD COME BACK TO THE CITY FOR EITHER LIQUOR OR ANY OTHER LICENSE AS WELL.

COUNCILOR CROTEAU ASKED, ACCORDING TO THE CITY CHARTER, ORDINANCE OR WHATEVER, IS THERE A SPECIFIC NUMBER OF LICENSES?

DETECTIVE SMITH SAID THAT HE CANNOT FIND THIS, BUT THAT THE CITY CLERK INFORMS HIM THAT WE ARE LIMITED TO 50. HE HAS BEEN UNABLE TO FIND THIS IN WRITING ANYWHERE.

**MOTION: THAT THE CITY CLERK PROVIDE TO DETECTIVE SMITH AND THE CLEKR OF COMMITTEES TO BE TO BE PROVIDED TO THE COMMITTEE ON POLICE AND LICENSE WHERE IT STATES THAT THE LIMIT FOR THESE LICENSES IS 50 AND ALSO THE LIST OF APPLICANTS WAITING FOR THE CLASS II LICENSES. SO VOTED.**

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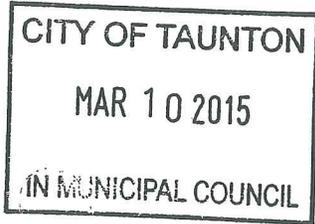
THE COMMITTEE ON POLICE AND LICENSE - CONTINUED

MEETING ADJOURNED AT 7:38 P.M.

RESPECTFULLY SUBMITTED,



COLLEEN M. ELLIS  
CLERK OF COUNCIL COMMITTEES



REPORTS ACCEPTED, RECOMMENDATIONS ADOPTED.



Rm Blawell  
CITY CLERK